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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,302	06/19/2001	Jeffrey A. Bedell	53470.003004	9726
21967 7590 05/15/2008 HUNTON & WILLIAMS LLP INTELLECTUAL PROPERTY DEPARTMENT 1900 K STREET, N.W. SUITE 1200 WASHINGTON, DC 20006-1109				
EXAMINER				
AL HASHEMI, SANA A				
ART UNIT		PAPER NUMBER		
2164				
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05/15/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

09/883,302

Applicant(s)

BEDELL ET AL.

Examiner

Sana Al-Hashemi

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is issued in response to the amendment filed 1/23/08.

#### ***Response to Amendment***

Claims 1-19, and 21-22, previously presented. Claims 20, 23-24 were amended.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Brandon Buteau (U.S. Patent No. 6,442,557 and Buteau hereinafter).

Regarding Claims 1, 4-6, 10, 14, 16 and 20-24 Buteau discloses:

a syntax pattern selector module for selecting a syntax pattern in an automated process (Figure No. 9 and corresponding text, i.e. the plurality of statements in the query window) corresponding to a desired function (Figure No. 9 and corresponding text, i.e. the "select" command is the desired function) a syntax standard for use in generating one or more query language statements (Figure No. 9 and corresponding text, i.e. the plurality of statements);

a statement assembly module for populating the syntax pattern in an automated process (Col 22, Lines 33-40) with an argument data set (Figure No. 9 and corresponding text, i.e. "where" command)

associated with a desired data set (Figure No. 9 and corresponding text, i.e. "select" command) as part of the process of generating one or more query language statements (Figure No. 9 and corresponding text, i.e. "select", "from" and "where" commands); and

whereby at least one query language statement is assembled to be run against a data source (Figure No. 9 and corresponding text, i.e. "from" command) to return the desired data set (Figure No. 10 and the corresponding text).

Regarding Claims 2, 9, 11, 15, 19 and 22, Buteau discloses wherein the syntax pattern selector module selects the syntax pattern from a plurality of syntax patterns (Figure No. 9 and corresponding text, i.e. "from" command in combination with the plurality of selections in the "from" command) corresponding to a plurality of database management systems (Figure No. 9 and corresponding text, i.e. the selection of data from the plurality of tables throughout the database).

Regarding Claims 3 and 12, the limitations of these claims have been noted in the rejected claim 1, above. In addition, Buteau discloses selection variable (Figure No. 9 and corresponding text, i.e. "select", "from" and "where" commands).

Regarding Claims 8 and 18, Buteau discloses wherein the system is a component in a reporting system (Figures 9 and 10 and the associated text; see also Col 22, Lines 33-62).

Regarding Claims 13 and 17, Buteau discloses generating a query structure based on the desired data set, the query structure providing a basis for identifying the desired function (Figures 9 and 10 and the associated text, i.e. the customer contact information relating to certain location).

Regarding Claim 7 Buteau discloses the argument generator module identifies the argument data set based on a syntax description associated with the desired function (Figure No. 9 and the associated text, i.e. "where" would be the argument command to generate syntax description that is associated with the desired function of the "select" command).

***Response to Arguments***

Applicant's arguments filed 1/23/08 have been fully considered but they are not persuasive.

Applicant argues that the "syntax pattern" was interpreted in two different and inconsistent manners.

Examiner disagrees. Claim 20 was grouped with claim 1 and both claims were addressed in the same way with one interpretation as stated in the rejection above.

Applicant argues the prior art fails to disclose the newly amended limitation.

Examiner disagrees. The newly amended limitations have been address see the rejection above.

***Conclusion***

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Point of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is 571-272-4013. The examiner can normally be reached on 8Am-4:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sana Al-Hashemi/  
Primary Examiner, Art Unit 2164